

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA )  
 )  
VS. ) CASE NO.: 3:09-CR-292-K (06)  
 )  
ELENO PENA BERNABE )

**ORDER ACCEPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE  
CONCERNING PLEA OF GUILTY**

After reviewing all relevant matters of record, including the Notice Regarding Entry of a Plea of Guilty, the Consent of the defendant, and the Report and Recommendation Concerning Plea of Guilty of the United States Magistrate Judge, and no objections thereto having been filed within ten days of service in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Report and Recommendation of the Magistrate Judge concerning the Plea of Guilty is correct, and it is hereby accepted by the Court. Accordingly, the Court accepts the plea of guilty and Plea Agreement and Defendant is hereby adjudged guilty. Sentence will be imposed in accordance with the Court's scheduling order.

SO ORDERED.

SIGNED this 15<sup>th</sup> day of April, 2010.

Ed Kinkeade  
ED KINKEADE  
UNITED STATES DISTRICT JUDGE